

2322.6831



# PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Applicant: Ernst Fischer

Serial No. 10/647,661

Filed: August 25, 2003

For: SHARPENER

Conf. No. 2139

Art Unit: 3724

*I hereby certify that this paper is being deposited with the United States Postal Service as FIRST-CLASS mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date:*

July 29, 2005

Date \_\_\_\_\_

~~Attorney for Applicant~~  
~~Registration No. 31,497~~

# RESPONSE TO RESTRICTION REQUIREMENT TRANSMITTAL

# Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

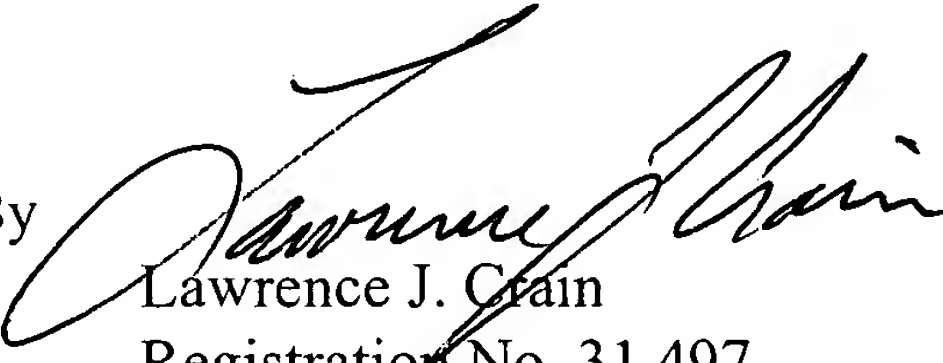
Sir:

- (X) Enclosed is a Response to Restriction Requirement.
- (X) If a Petition under 37 C.F.R. §1.136(a) for an extension of time for response is required to make the attached response timely and does not separately accompany this transmittal, Applicant(s) hereby petition(s) under 37 C.F.R. §1.136(a) for an extension of time for response in the above-identified application for the period required to make the attached response timely.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 07-2069. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or

informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 07-2069. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By   
Lawrence J. Crain  
Registration No. 31,497

July 29, 2005  
300 South Wacker Drive  
Suite 2500  
Chicago, Illinois 60606  
Telephone: 312.360.0080  
Facsimile: 312.360.9315  
Customer No. 24978

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

)

)

)

)

)

)

)

)

)

)

)

)

July 29, 2005  
Date

~~Attorney for Applicant~~  
~~Registration No. 31,497~~

## RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is in response to the Restriction Requirement mailed May 3, 2005 in the above-identified application. The Examiner has required restriction to one of the following inventions:

I. Claims 2-6, 12 and 16 drawn to a pencil sharpener having a feed track, feed pencil, matching outer contour area, feed disk, and sealing device;

II. Claims 7-9 drawn to a pencil sharpener having a pencil holding device being contained in the holding device in a rotationally fixed manner and the holding device is arranged opposite the cutting device in a movable manner;

III. Claims 10-11 drawn to a pencil sharpener having a force feeding device guiding the pencil at a free angle between 2 and 10 degrees;

IV. Claims 18-28 and 50, drawn to a pencil sharpener with a rotational compartment with at least three cams and feed casing, wherein the compartment is moved in an axial direction of a maximum of three positions;

V. Claim 32 drawn to a pencil sharpener with a feed casing of non-constant wall thickness in the perimeter direction;

VI. Claims 30-31, 33-36, 45 and 48 drawn to a pencil sharpener with a rotational compartment having a support section of plate-like shape such that it is supported in an axial direction on a well of the housing compartment running in a radial direction, and at least three cams; and

VII. Claims 37-44 and 47 drawn to a pencil sharpener with a housing compartment configured in a multi-part fashion.

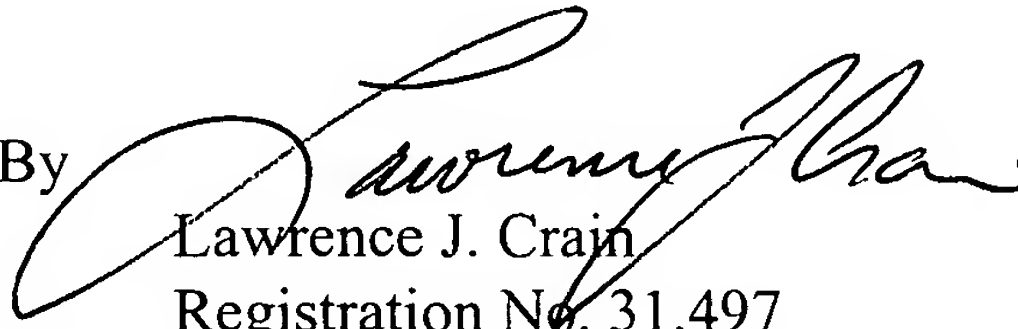
Applicant acknowledges the Examiner's indication of Claims 1, 13-17 and 29 being examined with any of the elected Groups and that Claim 1 is a linking claim. Upon the allowance of the linking claim, the Restriction Requirement will be withdrawn and any claims depending from that claim will be included in the examination of the application.

Applicant elects the claims of Group I, claims 2-6, 12 and 16 drawn to a pencil sharpener having a feed track, a feed pencil, matching contour area, feed disk, and sealing device. This election is made without traverse.

Applicant respectfully submits that all the issues raised in the May 3, 2005 Action (Paper No. 20050425) have been addressed. In the event there are additional issues which may be resolved by telephone, the Examiner is urged to contact the undersigned at the telephone number listed below.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By   
Lawrence J. Crain  
Registration No. 31,497

July 29, 2005  
300 South Wacker Drive  
Suite 2500  
Chicago, Illinois 60606  
Telephone: 312.360.0080  
Facsimile: 312.360.9315  
Customer No. 24978